

Notice of Allowability	Application No.	Applicant(s)	
	10/083,111	KIMURA ET AL.	
	Examiner	Art Unit	
	Shannon S. Saliard	3639	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 3/16/06.
2. ☒ The allowed claim(s) is/are 1,3,5-12,14,16-23,25 and 27-33.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Applicant's attorney, Michael Stanley, on 06 June 2006.

The application has been amended as follows:

Claim 1. An information processing method, comprising:

by obtaining information concerning a usage amount of money of a customer in a store, calculating an accumulated usage amount of money of said customer;

comparing said accumulated usage amount of money of said customer with a predetermined reference amount of money as to said accumulated usage amount of money; ~~and~~

upon detecting that said accumulated usage amount of money of said customer exceeds said predetermined reference amount of money, estimating an outgo time of said customer on the basis of a point in time when said accumulated usage amount of money of said customer exceeds said predetermined reference amount of money;

and transmitting data concerning said outgo time of said customer to a terminal of said store or a customer terminal.

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Claim 3. The information processing method as set forth in claim 1, further comprising, upon detecting that a second customer makes a reservation without time designation for a reservation unit including a seat of said customer and it is judged determined that said accumulated usage amount of money of said customer exceeds said predetermined reference amount of money, notifying said second customer of the estimated outgo time of said customer.

Claim 9. The information processing method as set forth in claim 1, further comprising: upon detecting that outgo information of said customer is received, judging determining whether a reservation of a second customer is registered with regard to a reservation unit including a seat of said customer; and upon detecting that said reservation of said second customer is registered, transmitting an instruction concerning a reserved seat to a restaurant terminal.

Claim 10. The information processing method as set forth in claim 1, further comprising: upon detecting that a reservation unit including a seat of said customer is not registered when outgo information of said customer is received but said reservation by a second customer is registered as to another reservation unit, judging determining whether said reservation by said second customer can be changed to said reservation unit including said seat of said customer; and notifying said second customer upon detecting that said seat can be changed.

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Claim 12. A program embodied on a medium for causing a computer to perform information processing, said program comprising:

by obtaining information concerning a usage amount of money of a customer in a store, calculating an accumulated usage amount of said customer;

comparing said accumulated usage amount of money of said customer with a predetermined reference amount of money as to said accumulated usage amount of money; ~~and~~

upon detecting that said accumulated usage amount of money of said customer exceeds said predetermined reference amount of money, estimating an outgo time of said customer on the basis of a point in time when said accumulated usage amount of money of said customer exceeds said predetermined reference amount of money;

and transmitting data concerning said outgo time of said customer to a terminal of said store or a customer terminal.

Claim 14. The program as set forth in claim 12, further comprising, upon detecting that a second customer makes a reservation without time designation for a reservation unit including a seat of said customer and it is ~~judged~~ determined that said accumulated usage amount of money of said customer exceeds said predetermined reference amount of money, notifying said second customer of the estimated outgo time of said customer.

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Claim 20. The program as set forth in claim 12, further comprising: upon detecting that outgo information of said customer is received, ~~judging~~ determining whether a reservation of a second customer is registered with regard to a reservation unit including a seat of said customer; and upon detecting that said reservation of said second customer is registered, transmitting an instruction concerning a reserved seat to a restaurant terminal.

Claim 21. The program as set forth in claim 12, further comprising: upon detecting that a reservation unit including a seat of said customer is not registered when outgo information of said customer is received but said reservation by a second customer is registered as to another reservation unit, ~~judging~~ determining whether said reservation by said second customer can be changed to said reservation unit including said seat of said customer; and notifying said second customer upon detecting that said seat can be changed.

Claim 23. An information processing apparatus, comprising:

means for calculating an accumulated usage amount of money of a customer by obtaining information concerning a usage amount of money of said customer in a store;

means for comparing said accumulated usage amount of money of said customer with a predetermined reference amount of money as to said accumulated usage amount of money; and

upon detecting that said accumulated usage amount of money of said customer exceeds said predetermined reference amount of money, means for estimating an outgo time of said customer on the basis of a point in time when said accumulated usage amount of money of said customer exceeds said predetermined reference amount of money;

and means for transmitting data concerning said outgo time of said customer to a terminal of said store or a customer terminal.

Claim 25. The information processing apparatus as set forth in claim 23, further comprising means for, upon detecting that a second customer makes a reservation without time designation for a reservation unit including a seat of said customer and it is ~~judged~~ determined that said accumulated usage amount of money of said customer exceeds said predetermined reference amount of money, notifying said second customer of the estimated outgo time of said customer.

Claim 31. The information processing apparatus as set forth in claim 23, further comprising:

means for ~~judging~~ determining whether reservation of a second customer is registered with regard to a reservation unit including a seat of said customer upon detecting that outgo information of said customer is received; and

means for transmitting an instruction concerning a reserved seat to a restaurant terminal upon detecting that said reservation of said second customer is registered.

Claim 32. The information processing apparatus as set forth in claim 23, further comprising:

means for, upon detecting that a reservation as to a reservation unit including a seat of said customer is not registered when outgo information of said customer is received but said reservation by a second customer is registered as to another reservation unit, ~~judging~~ determining whether said reservation by said second customer can be changed to said reservation unit including said seat of said customer; and means for notifying said second customer upon detecting that said seat can be changed.

Allowable Subject Matter

2. Claims 1, 3, 5-12, 14, 16-23, 25, and 27-33 are allowed over the prior art of record.

3. The following is an examiner's statement of reasons for allowance:

The closest prior art of record are two articles published in Cornell Hotel & Restaurant Administration Quarterly and U.S. Patent 6,879,973 issued to Visconti. The first article is entitled, "A framework for restaurant information technology" by Daryl Ansel and Chris Dyer (hereinafter referred to as "Ansel et al"). The second article is entitled "Developing a Restaurant Revenue-management Strategy" by Sheryl E. Kimes et al (hereinafter referred to as "Kimes et al").

Ansel et al discloses a system in which guest history, including dining patterns, average meal duration, and typical amounts spent per hour, is tracked to determine the best times for which to accept reservations. Ansel et al further discloses a system that would support reservation policies to ensure, that customers with a history of spending a certain average amount per hour are booked during peak times.

Kimes et al discloses a method of collecting detailed information on arrival patterns, meal times, and revenue patterns to maximize revenue per available seat hour by manipulating price and meal duration. Kimes et al further discloses that the level of detail further included meal-duration by part and customer spending including the transaction amount.

Visconti discloses a method and system in which an automated arithmetic process computes the next available time of a seat in restaurant and transmits the results to the customer. Visconti further discloses using a current credit card transaction to update the average seating occupancy.

As per claims 1, 12, and 23, the closest prior art of record taken either individually or in combination with other prior art of record fails to teach or suggest an information processing apparatus, method, or system that upon detecting that an accumulated usage amount of money of said customer exceeds a predetermined reference amount of money, estimates the outgo time of a customer in a store on the basis of a point in time when an accumulated usage amount of money of said customer exceeds a predetermined reference amount of money. The specific allowable feature, which distinguishes the present invention over the prior art of record, is estimating the

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time when a customer is expected to leave a store on the basis of a point in time when an accumulated usage amount of money of the customer exceeds a predetermined reference amount.

Claims 3 and 5-11 are dependent upon claim 1 and thus have all the limitations of claim 1 and are allowable for that reason. Claims 14 and 16-22 are dependent upon claim 12 and thus have all the limitations of claim 12 and are allowable for that reason. Claims 25 and 27-33 are dependent upon claim 23 and thus have all the limitations of claim 23 and are allowable for that reason.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shannon S. Saliard whose telephone number is 571-272-5587. The examiner can normally be reached on Monday - Friday, 8:00 am - 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W. Hayes can be reached on 571-272-6708. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Please address mail to be delivered by the United States Postal Service (USPS) as follows:

***Commissioner of Patents and Trademarks
Washington, D.C. 20231***

Or faxed to:

(571) 273-5587 [Informal/ Draft Communications, labeled
"PROPOSED" or "DRAFT"]

Hand delivered responses should be brought to the Customer Service Window,
Randolph Building, 401 Dulany Street, Alexandria, VA 22314

SSS

Shannon S Saliard
Examiner
Art Unit 3639


**JOHN W. HAYES
SUPERVISORY PATENT EXAMINER**